

**PUBLIC SAFETY
AND
LEGAL ADMINISTRATION COMMITTEE
MINUTES**

MAY 13, 2008

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, May 13, 2008 at 3:20 p.m., in Committee Room #2.** The following members were present:

**The Honorable Cleta Winslow, Chair
The Honorable C. T. Martin, Vice-Chair
The Honorable Carla Smith
The Honorable Anne Fauver
The Honorable Joyce Sheperd
The Honorable H. Lamar Willis**

Others present at the meeting were: City Attorney Elizabeth Chandler, Roger Bhandari, Jerry Deloach, Dianne Mitchell, and Amber Robinson, Law Department; Deputy Chief W. Meadows, Atlanta Fire and Rescue Department; Deputy Chiefs Turner and Peter Andresen, Director Malachi Hull, Police Department; Raines Carter, Solicitor; the media, public and council staff.

Chair Cleta Winslow called the meeting to order at 3:24 p.m. after declaring a quorum present. She then proceeded with the following order of business.

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

CONSENT

C. RESOLUTIONS

Claims with favorable recommendations:

08-R-0907 (1) Claim of **State Farm Insurance Company, as subrogee of Kim Lawrence**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on December 11, 2007 at 875 West Paces Ferry Road.
\$832.00

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-0908 (2) Claim of **State Farm Insurance Companies, as subrogee of Homer Beavers**, for damages alleged to have been sustained as a result of an automobile accident on January 14, 2008 at 1619 Centra Villa Drive. **\$3,426.01**
- 08-R-0909 (3) Claim of **Progressive Max Insurance Companies, as subrogee of Christine H. Shaner**, for damages alleged to have been sustained as a result of an automobile accident on October 18, 2007 at McClendon Avenue, NE and Glendale Avenue, NE. **\$2,463.53**
- 08-R-0910 (4) Claim of **Jocelyn Homer**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on November 20, 2007 at 1854 Perry Boulevard. **\$609.00**
- 08-R-0911 (5) Claim of **Durian Ross, through his attorney, Ahkibah Hall**, for damages alleged to have been sustained as a result of an automobile accident on November 27, 2007 at Donald Lee Hollowell Parkway and Northside Drive. **\$10,000.00**
- 08-R-0912 (6) Claim of **Mijin Kim**, for damages alleged to have been sustained during the removal of a stump on December 24, 2007 at 1014 Ferncliff Road. **\$575.00**
- 08-R-0913 (7) Claim of **Cheena Mitchell, through her attorney, John E. King & Associates, LLC**, for bodily injuries alleged to have been sustained from an automobile accident on October 4, 2007 at 2636 Martin Luther King, Jr. Drive. **\$11,500.00**
- 08-R-0914 (8) Claim of **Bennie Lamb**, for vehicular damages alleged to have been sustained when ice fell from the City's Radio Tower on January 17, 2008 at 315 Chester Avenue, SE. **\$652.00**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-0915 (9) Claim of **Helen Griffin**, for vehicle damages alleged to have been sustained as a result of a recessed manhole on December 4, 2007 at Cherokee Avenue and Glenwood Avenue. **\$1,693.57**
- 08-R-0916 (10) Claim of **William E. and Janet C. Nutt**, for damages alleged to have been sustained as a result of a sewer backup on September 16, 2007 at 1461 Pine Street, Apartment B. **\$1,615.11**
- 08-R-0917 (11) Claim of **Susan G. Bennett**, for damages alleged to have been sustained as a result of striking a raised water meter box on February 13, 2008 at 569 E. Wesley Road, NE. **\$587.25**
- 08-R-0918 (12) Claim of **Bernard Coxton**, for vehicular damages alleged to have been sustained from driving over a water valve that was under construction and left in an unsafe manner on February 27, 2008 at 520 Boulevard, NE. **\$848.47**
(Councilmember Smith made a motion to approve Items C1-C12)

FAVORABLE

- 08-R-0919 (13) Claim of **Desiree Chand**, for vehicular damages alleged to have been sustained after driving over a manhole that was exposed during a road re-paving project on December 23, 2007 on Acorn Avenue, NE. **\$2,868.40**
(Councilmember Winslow made a motion to file)

FILE

- 08-R-0920 (14) Claim of **Christel Sundin**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on January 24, 2008 on North Avenue at Bonaventure Avenue. **\$968.51**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-0921 (15) Claim of **William Heitmann, III**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on January 14, 2008 at 875 West Paces Ferry Road. **\$2,252.67**
- 08-R-0922 (16) Claim of **Le'Roy Tilghman**, for damages alleged to have been sustained as a result of a vehicle accident on November 28, 2007 at 2315 Donald Lee Hollowell Parkway. **\$765.53**
- 08-R-0923 (17) Claim of **Charles and Ethel Pullin**, for damages alleged to have been sustained as a result of striking metal plates on February 4, 2008 at 2324 Marietta Road. **\$1,518.98**
- 08-R-0924 (18) Claim of **Gabriel and Kenneth Williams**, for damages alleged to have been sustained as a result of an automobile accident on February 28, 2008 at Florida Avenue, SE and Sanders Avenue, SE. **\$932.75**

Claims with unfavorable recommendations:

- 08-R-0925 (19) Claim of **Ronnie Clemons**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on August 16, 2007 at 1595 Marietta Boulevard.
- 08-R-0926 (20) Claim of **Mishon Bouyer, through her attorney, Brad Gardner, Esq., Forrest B. Johnson & Associates**, for damages alleged to have been sustained during an arrest on August 27, 2006 at 10th Avenue and Brady Avenue.
- 08-R-0927 (21) Claim of **O'Terrill's**, for damages alleged to have been sustained due to a street closing event on October 13, 2007 at 510 Piedmont Avenue, NE.
- 08-R-0928 (22) Claim of **Anthony Jackson, through his attorney, Robin Frazer Clark**, for damages alleged to have been sustained as a result of an overtime pay dispute between 2000 and 2004 at 675 Ponce de Avenue, NE.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0929 (23) Claim of **Bruce Feigelson**, for damages alleged to have been sustained as a result of striking a metal plate on January 23, 2008 at 2166 Peachtree Road, NW and Colonial Homes Drive, NW.
- 08-R-0930 (24) Claim of **Underwood Memorial United Methodist Church**, for damages alleged to have been sustained during the installation of a sidewalk in 2008 at 1671 Howell Mill Road.
- 08-R-0931 (25) Claim of **Adolph Gammage**, for damages alleged to have been sustained as a result of striking a pothole on September 14, 2007 at Butner Road and Casa Domain Court.
- 08-R-0932 (26) Claim of **Corridor Beltline, LLC, through its attorney, Thomas T. Tate, Esq., Andersen, Tate & Carr, P.C.**, for damages alleged to have been sustained from storm water overflow on August 31, 2006 at 650 Ponce de Leon Avenue, NE.
- 08-R-0933 (27) Claim of **JNR Adjustment Company, Inc., as subrogee of Xspedius Communications, on behalf of Time-Warner Telecom**, for damages alleged to have been sustained when overhead fiber cable was cut on December 8, 2005 on West Peachtree Street, between 7th Street and 8th Street.
- 08-R-0934 (28) Claim of **Theresa Willis**, for damages alleged to have been sustained as a result of a trip and fall on March 20, 2008 at 23 Warren Street.
- 08-R-0935 (29) Claim of **Chester J. Hosch**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on February 12, 2008 at Perry Boulevard and Habershal Drive.
- 08-R-0936 (30) Claim of **Angela Harmon**, for damages alleged to have been sustained as a result of driving over a construction cut on January 31, 2008 at 295 West Wesley.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0937 (31) Claim of **Cheryl Shaw**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on February 10, 2008 at Perry Boulevard and Habershal Drive.
- 08-R-0938 (32) Claim of **B & D Endeavors, through its attorney, William L. Colvin**, for damages alleged to have been sustained as a result of a water service account dispute between April, 2005 and September, 2007 at 55 and 58 Bradley Street.
- 08-R-0939 (33) Claim of **McMarcus Williams, through his attorney, Michael Cherof**, for damages alleged to have been sustained as a result of an automobile accident on February 6, 2008 at Cascade Road and Beecher Street.
- 08-R-0940 (34) Claim of **Harrington Investment, Inc.**, for damages alleged to have been sustained as a result of driving over a construction cut on January 5, 2008 at 1155 Niskey Lake Road.
- 08-R-0941 (35) Claim of **Barbara Sanders**, for property damages alleged to have been sustained from a sewer backup on July 31 2007, at 2298 Barge Road, SW.
- 08-R-0942 (36) Claim of **Marilyn Simmons and Ana Hicks, through their attorney, Sam L. Starks**, for damages alleged to have been sustained as a result of flooding on January 10, 2008 at 188 Atlanta Avenue, SE.
- 08-R-0943 (37) Claim of **Todd Walker**, for damages alleged to have been sustained as a result of striking a construction cut on January 5, 2008 at 1999 Campbellton Road.
- 08-R-0944 (38) Claim of **Michael Bartholomew**, for damages alleged to have been sustained as a result of driving over a construction cut on January 31, 2008 at 295 West Wesley.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0945 (39) Claim of **Leverne Westry**, for damages alleged to have been sustained as a result of driving over a raised manhole on November 9, 2007 at Joseph E. Lowery Boulevard and Sells Avenue.
- 08-R-0946 (40) Claim of **Joseph Arbuckle**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on August 23, 2007 at 799 Kirkwood Avenue.
- 08-R-0947 (41) Claim of **Byron Ford**, for damages alleged to have been sustained as a result of an automobile collision on August 21, 2007 near 965 Oak Street.
- 08-R-0948 (42) Claim of **State Farm Insurance Companies, as subrogee of Linda Capell**, for property damages alleged to have been sustained from an automobile accident on July 25, 2007 at SE at 75/85 NB Expressway and Courtland Street, NE.
- 08-R-0949 (43) Claim of **Liberty Mutual Fire Insurance Company, as subrogee of Fatimah Abdullah**, for property damages alleged to have been sustained from and undisclosed event on August 18, 2007 at an unspecified location.
- 08-R-0950 (44) Claim of **Kawalie M. Fataki, III**, for damages alleged to have been sustained as a result of a rock thrown by a lawnmower on March 15, 2007 at 996 Ralph David Abernathy Boulevard, SW.
- 08-R-0951 (45) Claim of **Andrew Murphy**, for property damages alleged to have been sustained from a sewer backup on March 2, 2008 at 508 Greenwood Avenue, NE.
- 08-R-0952 (46) Claim of **Karen Smith**, for damages alleged to have been sustained as a result of striking a damaged storm grate on January 3, 2008 at Boulevard, SE and Wabash Avenue.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0953 (47) Claim of **Alyssa Walz, Gregory Walz, and Jenny Walz**, for damages alleged to have been sustained as a result of a vehicle accident on September 11, 2007, at the intersection of Howell Mill Road and Chattahoochee Avenue.
- 08-R-0954 (48) Claim of **Vichelle Taylor**, for damages alleged to have been sustained as a result of driving over a construction cut on January 6, 2008 at 1155 Niskey Lake Road.
- 08-R-0955 (49) Claim of **Joan Brown**, for damages alleged to have been sustained as a result of a sewer backup on July 27, 2004 at 1494 Memorial Drive, A-2.
- 08-R-0956 (50) Claim of **Travelers Insurance Company, as subrogee of Tyler Bell**, for damages alleged to have been sustained as a result of an automobile accident on January 6, 2008 at Martin Luther King, Jr. Drive and Mangum Street.
- 08-R-0957 (51) Claim of **Liberty Mutual, as subrogee of Mary Ann Linkowski**, for damages alleged to have been sustained as a result of an automobile accident on January 6, 2008 at Martin Luther King, Jr. Drive and Mangum Street.
- 08-R-0958 (52) Claim of **Terry Orme and Cele Covatta**, for damages alleged to have been sustained as a result of a sewer backup on November 8, 2007 at 3192 Rockingham Drive.
- 08-R-0959 (53) Claim of **State Farm Insurance Companies, as subrogee of Charles Jones, Sr.**, for damages alleged to have been sustained as a result of an automobile accident on January 6, 2008 at Martin Luther King, Jr. Drive and Mangum Street.
- 08-R-0960 (54) Claim of **Marvin Swint, through his attorney, K. Prabhaker Reddy**, for damages alleged to have been sustained during an arrest on August 21, 2007 at 2537 Piedmont Road.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0961 (55) Claim of **Jeffrey T. Nugent**, for damages alleged to have been sustained as a result of striking a metal plate on January 24, 2008 at 2166 Peachtree Road, NW and Colonial Homes Drive, NW.
- 08-R-0962 (56) Claim of **BenJean Cropper**, for damages alleged to have been sustained as a result of striking a metal plate on January 23, 2008 at 2166 Peachtree Road, NW and Colonial Homes Drive, NW.
- 08-R-0963 (57) Claim of **Martha Lynn Grassie, through her attorney, R. David Sammons**, for damages alleged to have been sustained as a result of stepping into an electrical box on April 12, 2006 at the corner of Garnett and Peachtree Streets.
- 08-R-0964 (58) Claim of **Branden Griffin**, for damages alleged to have been sustained as a result of driving over an area of sunken pavement on November 3, 2006 on West Peachtree Street between 12th Street and 14th Street.
- 08-R-0965 (59) Claim of **USAA Insurance Company, as subrogee, of Lynn R. Johnson**, for damages alleged to have been sustained as a result of a vehicle accident on March 30, 2007 at 3705 Melvin Drive, SW.
- 08-R-0966 (60) Claim of **Dwayne Thomas**, for damages alleged to have been sustained from driving over a construction site that was left in an unsafe condition in the road on October 1, 2007 at 1707 Metropolitan Parkway.
- 08-R-0967 (61) Claim of **Sembler Atlanta Development I, through its attorney, Steven V. Kern, Esq.**, for damages alleged to have been sustained from storm water overflow on August 31, 2006 at 680 Ponce de Leon Avenue, NE.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0968 (62) Claim of **Borders, Inc. and Liberty Mutual Insurance Company, through their attorney, William J. Holley, II,** for damages alleged to have been sustained from storm water overflow on August 31, 2006 at 650 Ponce de Leon, NE.
- 08-R-0969 (63) Claim of **Barbara Hartung,** for damages alleged to have been sustained as a result of driving over a construction cut on January 2, 2008 at 1155 Niskey Lake Road.
- 08-R-0970 (64) Claim of **Jeremy Hunter & Danielle Valimont, through their attorney, Michael T. Bennett, Jr.,** for damages alleged to have been sustained as a result of an arrest on August 9, 2007 at the intersection of Freedom Parkway and Boulevard.
- 08-R-0971 (65) Claim of **Joseph P. Palermo, III,** for damages alleged to have been sustained as a result of driving through a construction area on November 2, 2007 at the intersection of Gaskill Street and Pearl Street.
- 08-R-0972 (66) Claim of **Mike S. Challiss, through his attorney, Justin J. Wyatt, Esq.,** for damages alleged to have been sustained during an arrest on July 10, 2007 at 594 Wimbeldon Road.
- 08-R-0973 (67) Claim of **Transguard Insurance Company, as subrogee of Ace World Wide,** for damages alleged to have been sustained as a result of striking low-hanging utility wires on August 17, 2007 at Peachtree Street and Beverly Road.
- 08-R-0974 (68) Claim of **Teneka Brinkley,** for damages alleged to have been sustained as a result of driving over a pothole on March 9, 2008 at 8425 Wilkerson Mill Road in Palmetto, Georgia.
- 08-R-0975 (69) Claim of **Curtis Merriell, through his attorney, Yinka T. Omole & Associates,** for bodily injuries alleged to have been sustained from an automobile accident on June 15, 2007 at Morton Avenue and University Avenue.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0976 (70) Claim of **Michael Merriell, through his attorney, Yinka T. Omole & Associates**, for bodily injuries alleged to have been sustained from an automobile accident on June 15, 2007 at Morton Avenue and University Avenue.
- 08-R-0977 (71) Claim of **Nathan Merriell, through his attorney, Yinka T. Omole & Associates**, for bodily injuries alleged to have been sustained from an automobile accident on June 15, 2007 at Morton Avenue and University Avenue.
- 08-R-0978 (72) Claim of **Richard Francati**, for damages alleged to have been sustained from a billing issue on May 12, 2007 at 397 Blake Avenue, SE.
- 08-R-0979 (73) Claim of **Jimmie Jackson, through his attorney, Bruce A. Hagen, P.C.**, for bodily injuries alleged to have been sustained from tripping on a metal strip that was protruding from the sidewalk on September 13, 2007 at 12 Broad Street, SW.
- 08-R-0980 (74) Claim of **Stephanie Moore**, for damages alleged to have been sustained as a result of driving over a failed construction cut on June 7, 2007 at 830 Westview Drive.
- 08-R-0981 (75) Claim of **Nakiesha Payton**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on July 30, 2007 at 912 Martin Luther King, Jr. Drive.
- 08-R-0982 (76) Claim of **Lazanea M. Holley-Lucas**, for damages alleged to have been sustained as a result of driving over a metal plate on November 20, 2007 on 14th Street between West Peachtree and Crescent Avenue.
- 08-R-0983 (77) Claim of **Margaret Randle**, for property damages alleged to have been sustained due to mishandled personal property after an arrest on December 6, 2006 at 925 Conley Road.
(Councilmember Smith made a motion to approve Items C14-C77)

FAVORABLE

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D. ORDINANCE FOR FIRST READING

- 08-O-0984 (1) An Ordinance by Public Safety and Legal Administration Committee to amend Article XXIII of Chapter 30 of the Code of Ordinances of the City of Atlanta which contains the Code Section applicable to vending on Public Property by replacing said article with new text for the purpose of authorizing and implementing a Public Vending Management Program; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

E. ORDINANCES FOR SECOND READING

- 06-O-1908 (1) A **Substitute** Ordinance by Public Safety and Legal Administration Committee **as amended** amending Chapter 162, Article II, Division 1, Section 162-33 of the Code of Ordinances of the City of Atlanta, Georgia ("City"), on behalf of the Department of Police, Bureau of Taxicabs and Vehicles for Hire ("Department"), for the purpose of increasing the fees the City assesses Taxicab Drivers and Taxicab Companies; to create a Taxicab Re-Inspection Fee, Horse-Drawn Carriage Company Permit Fee, and a Horse-Drawn Carriage Renewal Fee; and for other purposes. **(Public Hearing held 1/15/08) (Referred back by Council 5/5/08)**
(Councilmember Smith made a motion approve on substitute as amended)

FAVORABLE ON SUBSTITUTE AS AMENDED

- 08-O-0712 (2) An Ordinance by Public Safety and Legal Administration Committee amending the 2007 (Intergovernmental Grant Fund) Budget, Department of Fire and Rescue, by adding to anticipations and appropriations, the amount of \$17,985.00, for grant funds from the Georgia Emergency Management Agency ("GEMA"), for the purpose of supporting the Atlanta Citizen Emergency Response Team; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

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ORDINANCES FOR SECOND READING (CONT'D)

- 08-O-0713 (3) An Ordinance by Public Safety and Legal Administration Committee amending the 2007 (Intergovernmental Grant Fund) Budget, Department of Fire and Rescue, by reducing anticipations and appropriations in the amount of \$7,980.00, in grant funds from the Urban Area Security Initiative for the purpose of funding the Atlanta Citizens Response Team; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

- 08-O-0714 (4) An Ordinance by Public Safety and Legal Administration Committee amending the 2008 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, the amount of \$75,885.00, for an Explosive Ordinance Disposal (EOD) Equipment Grant, from the Georgia Emergency Management Agency ("GEMA"), for the purpose of purchasing equipment for bomb investigations related to Homeland Security for the Department of Police; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

- 08-O-0715 (5) An Ordinance by Public Safety and Legal Administration Committee amending the 2008 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, the amount of \$362,747.00, for an Explosive Ordinance Disposal (EOD) Equipment Grant, from the Georgia Emergency Management Agency ("GEMA"), for the purpose of purchasing equipment for bomb investigations related to Homeland Security for Hartsfield-Jackson Atlanta International Airport; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

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ORDINANCES FOR SECOND READING (CONT'D)

- 08-O-0716 (6) An Ordinance by Public Safety and Legal Administration Committee amending the 2008 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, the amount of \$250,600.00, for a Grant Award from the Governor's Office of Highway Safety, to fund the Highway Enforcement of Aggressive Traffic and Pedestrian Safety Programs; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

- 08-O-0717 (7) An Ordinance by Public Safety and Legal Administration Committee to anticipate and appropriate an amount of \$58,666.00, from the Criminal Justice Coordinating Council, for the purpose of continuing the provision of a Restorative Board in the English Ave./Vine City Area of Atlanta; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

- 08-O-0878 (8) An Ordinance by Finance/Executive Committee amending Chapter 98, Article II, Division 1, of the Code of Ordinances of the City of Atlanta, Georgia, on behalf of the Department of Police, by creating a new Section 98-46 Entitled "Fees for Fingerprinting Services" and renumbering the succeeding sections accordingly, for the purpose of authorizing the assessment of a fee for Fingerprinting Services which are provided by the Department of Police to the public, in order to off-set the costs of providing such services, such fee to be accounted for by the Department of Police and paid into the City's Treasury; to exempt applicants for employment with the City of Atlanta from paying this fee; and for other purposes. **(To be advertised for a Public Hearing)**
(Councilmember Winslow made a motion to hold for a Public Hearing.)

HELD

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ORDINANCES FOR SECOND READING (CONT'D)

- 08-O-0879 (9) An Ordinance by Finance/Executive Committee to amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 GA. Laws P. 4469, et seq., by amending Article IV, Sections 4-47, 4-106 and 4-110, as well as Article IV, Chapter 2, Sections 2-135 and 2-396, and Article II, Chapter 62, Section 62-28 of the Code Of Ordinances of the City of Atlanta, Georgia, so as to consolidate the Solicitor's Office with the Department of Law; to effectuate a reorganization of the Department of Law and Solicitor's Office; and for other purposes.

HELD DUE TO LOST OF A QUORUM

F. RESOLUTION

- 08-R-0985 (1) A Resolution by Public Safety and Legal Administration Committee authorizing the Chief Financial Officer to establish a Trust Fund Account, on behalf of the Department of Corrections, for the purpose of depositing funds received from Fulton County; said funds to be used for rebuilding/upgrading infrastructure and incorporating security enhancements at the Atlanta City Detention Center; and for other purposes.

(Councilmember Winslow made a motion to hold.)

HELD

G. PAPERS HELD IN COMMITTEE

- 06-R-0433 (1) Claim of **Robert Colgin**, for damages alleged to have been sustained as a result of flooding on July 9, 2005 at 3340 Chatham Road, NW. **(Referred back by Council 2/20/06)**
(Held 2/28/06 for further investigation at the request of Councilmember Muller)

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-1044 (2) An Ordinance by Councilmembers H. Lamar Willis and C. T. Martin to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article 2, Section 162-61(a) and Chapter 162, Article 2, Section 162-34(f) to allow short breaks in service for Taxicabs; to allow the Chief of Police or his designee, discretion to grant further extension for correction slip matters; to repeal conflicting ordinances; and for other purposes. **(Held 5/9/06 at the request of Councilmember Martin)**
- 06-O-1601 (3) An Ordinance by Councilman C. T. Martin to amend Article XXIII (Entitled "Vending on Public Property"), Division 1, Section 30-1401, of the Code of Ordinances of the City of Atlanta, Georgia, so as to exempt Disabled Veterans from most of the provisions of the Public Property Vending Code; to waive conflicting ordinances; and for other purposes. **(Held 8/15/06 for further review)**
- 07-O-0078 (4) An Ordinance by Councilmember Cleta Winslow **as amended by Full Council** to amend Chapter 30, Article II, Section 30-26 (b), of the City of Atlanta Code of Ordinances, so that meetings of the License Review Board are not held during the month of December; and for other purposes. **(Amended by Full Council and referred back by Council 1/16/07) (Held 1/30/07 so that a copy of the ordinance can be forwarded to the NPU's for review and comment)**
- 07-O-0249 (5) An Ordinance by Councilmembers Kwanza Hall and Cleta Winslow authorizing the Mayor or her designee to grant an exemption to the City's Distance Requirements for on-premise consumption of alcohol and the sale of wine by the package on the 300 block of Walker Street. **(Held 2/13/07 for further review)**
- 07-R-0545 (6) Claim of **Nancy Montgomery**, for damages alleged to have been sustained as a result of a water main break during the installation of a sidewalk on June 6, 2006 at 2340 Hurst Drive, NE. **(Referred back from Council 4/16/07) (Held 5/1/07 at the request of Councilmember Shook)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-1522 (7) An Ordinance by Councilmembers Anne Fauver and Natalyn Archibong to amend Chapter 18, Article I, of the Code of Ordinances of the City of Atlanta, so as to prohibit the practice of inhumanely chaining or tethering dogs; and for other purposes. **(Held 7/31/07 at the request of the author for further review)**
- 07-O-1525 (8) An Ordinance by Councilmember Joyce Sheperd to amend Section 122-172 under Chapter 122, Article V, Division 2, of the Code of Ordinances, so as to provide for a review by the affected Neighborhood Planning Unit(s) whenever an application for a license to operate a Secondary Metal Recycler is submitted; and for other purposes. **(Held 7/31/07 at the request of the author for further review. 9/25/07 a motion was approved to forward to the NPU's for review)**
- 07-O-1526 (9) An Ordinance by Councilmember Joyce Sheperd to amend Section 30-1503(a) under Chapter 30, Article XXV, of the Code of Ordinances, so as to provide for a review by the affected Neighborhood Planning Unit(s) whenever an application for a license to operate a Self-Service Car Wash is submitted; and for other purposes. **(Held 7/31/07 at the request of the author for further review. 9/25/07 a motion was approved to forward to the NPU's for review)**
- 07-O-1795 (10) An Ordinance by Councilmember H. Lamar Willis to establish Chapter 21 of the Code of Ordinances of the City of Atlanta entitled "Transportation of Hazardous Materials"; to create a new Article I to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007," to create a new Division 1 to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007"; so as to prohibit large shipments of certain extremely hazardous materials near the City of Atlanta in an effort to reduce the risk of attacks by terrorists; to allow for the issuance of permits authorizing such shipments in special cases; to require the Mayor to issue regulations to implement the provisions of this act; and for other purposes. **(Held 8/28/07 for further review.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-1800 (11) An Ordinance by Councilmembers C. T. Martin, Ceasar C. Mitchell, H. Lamar Willis, Ivory L. Young, Jr. and Joyce Sheperd **as substituted by Public Safety and Legal Administration Committee** to create Section 106-13 of the Code of Ordinances of the City of Atlanta, Georgia to be entitled "Wearing of Pants Below the Waist in Public, Unlawful"; to waive conflicting ordinances; and for other purposes. **(Held 8/28/07 at the request of the author for a work session and a public hearing) (Substituted and held 9/11/07)**
- 07-O-1879 (12) An Ordinance by Public Safety and Legal Administration Committee to revise the City of Atlanta Code of Ordinances pertaining to secondary metal recyclers by amending the following Sections of Chapter 122, Article V, Divisions I and II; Section 122-151 (Definitions); Section 122-152 (Records Required); and Section 122-157 (Unlawful Acts); Section 122-171 (Required Application); to add the following new Sections to Chapter 122, Article V, Divisions I and II of the City of Atlanta Code of Ordinances: Section 122-158 (Daily Written Report to Police); Section 122-159 (Offenses; Defenses, Penalty); Section 122-160 (Possessor of Secondary Metals); Section 122-161 (License to Possess Secondary Metals); Section 122-162 (Revocation of License to Possess Secondary Metals); and Section 122-170 (Processing Application; Issuance of License, Possessor of Secondary Metals); to waive conflicting ordinances; and for other purposes. **(Public Hearing held on 10/30/07) (Held 10/30/07 for further review)**
- 07-O-1905 (13) An Ordinance by Councilmember Mary Norwood to amend Article XXIV vending on Private Property; and for other purposes. **(Held 9/11/07 at the request of the Law Department)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-R-2294 (14) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to approve or reject the decision of the evaluator presiding in the early neutral evaluation process, an alternative dispute resolution process, in the matter of Veolia Water North America Operating Services, LLC v. City of Atlanta, in the U.S. District Court, Northern District of Georgia, Civil Action No. 06-CV-1457-TWT; and for other purposes. **(Held 10/30/07 for further review)**
- 07-O-2513 (15) An Ordinance by Councilmember Ceasar C. Mitchell to amend Ordinance #07-O-2135, adopted October 15, 2007 and approved October 22, 2007, amending Section 10-12 of the City Code, which amendment eliminated the provision allowing persons 18 years of age or older to provide entertainment in any premises licensed for the sale of alcoholic beverages, so as to exempt from said ordinance, those persons currently employed as entertainers with active and valid permits, which will afford such persons a "Grandfathered" status; and for other purposes. **(Held 11/27/07 at the request of the author)**
- 08-R-0118 (16) Claim of Alyssa Walz, Gregory Walz and Jenny Walz, for damages alleged to have been sustained as a result of a vehicle accident on September 11, 2007 at the intersection of Howell Mill Road and Chattahoochee Highway. \$1,298.60 **(Held 1/29/08 at request of the Law Department)**
- 08-O-0190 (17) An Ordinance by Councilmember H. Lamar Willis to amend Chapter 30, Article II of the City Code of Ordinances to reflect new fees for owners of Adult Entertainment establishments which sell alcohol to provide for certain programs for the prevention of sexual assault; and for other purposes. **(Held 1/29/08 at the request of the author)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 08-O-0398 (18) An Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Vehicles for Hire, to provide for a definition of Taxicab Safety Equipment; to require signage on applicable taxicabs alerting passengers to the presence of a Digital Security Camera System; to require the installation of taxicab safety equipment in all taxicabs; to authorize the Chief of Police or his/her designee to establish, issue and revise rules, procedures and regulations to govern the specifications, installation and maintenance of the taxicab safety equipment, and to provide for enforcement of rules, procedures and regulations for the purpose of protecting the safety of taxicab drivers and passengers; and for other purposes. **(Held 3/11/08 for a Work Session Wednesday, March 19, 2008 at 10:00 a.m.)**
- 08-R-0400 (19) A Resolution by Public Safety and Legal Administration Committee to authorize the City Attorney to accept on behalf of the City of Atlanta Department of Law, the donation of training from various Law Firms and other entities; and for other purposes. **(Held 2/26/08 for further review)**
- 08-R-0474 (20) A Resolution by Public Safety and Legal Administration Committee authorizing the City Attorney to extend a retainer agreement with the Law Firm of Morris, Manning & Martin, LLP to serve as outside counsel to the City of Atlanta in connection with cases styled: Veolia Water North America Operating Services, LLC F/K/A U. S. Filter Operating Services, Inc. v City of Atlanta, Civil Action No. 06-CV-1457, City of Atlanta v. Veolia Water North America Operating Services, F/K/A U.S. Filter Operating Services, Inc., Civil Action No. 2006-CV-119510; City of Atlanta v. Veolia Environment, S.A. F/K/A Vivendi Environment, S.A., Civil Action No. 1:06-CV-1631, Veolia Water North America Operating Services, LLC F/K/A U.S. Filter Operating Services, Inc., Civil Action No. 2006-CV-118577 to authorize expenditures for that purpose in an amount not to exceed \$1,500,000.00, to be charged to and paid from Fund, Account and Center Number: 2J01 (Water and Wastewater) 524001 (Professional Consultant Services) Q30001 (Deputy Commissioner, Treatment & Collection). **(Held 3/11/08 for further review)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 08-O-0507 (21) An Ordinance by Councilmember Mary Norwood to create a new Section 105-15 of the Code of Ordinances of the City of Atlanta, Georgia, to be entitled "Loitering"; and for other purposes. **(Held 3/11/08 for further review by the Law Department)**
- 08-O-0824 (22) An Ordinance by Councilmembers Ceasar C. Mitchell, Cleta Winslow, Joyce M. Sheperd, Mary Norwood, C. T. Martin, Ivory L. Young, Jr., Kwanza Hall and H. Lamar Willis to amend Article V (Entitled "Offenses by and against Minors") of Chapter 106 of the Code of Ordinances of the City of Atlanta, Georgia, by creating a new Section 106-229 to be entitled "Day-Time Curfew" so as to impose a Day-Time Curfew on minors, ages six (6) to sixteen (16) years; and for other purposes **(Held 4/29/08 per the Department of Police to have discussion with the Atlanta Board of Education.)**
- 08-O-0843 (23) An Ordinance by Councilmember Natalyn M. Archibong amending Sections 10-1, 10-88 and 10-88.1 of the Code of Ordinances of the City of Atlanta, by adding a paragraph to define the term "Specialty Food Shop" and by adding and amending paragraphs to create distance requirements for same; and for other purposes. **(Held 4/29/08 for two week certain per the author to have a discussion with the Law Department.)**
- 08-R-0845 (24) A Resolution by Councilmembers Ceasar C. Mitchell and C. T. Martin expressing the Atlanta City Council's support and encouragement of the Atlanta Police Department increasing the number of members of the City's Red Dog Unit from its current strength to not less than seventy-five (75) officers in order to have an effective number of personnel in order to combat street level drug trafficking; and for other purposes. **(Held per the Committee so that the Law Department can review.)**

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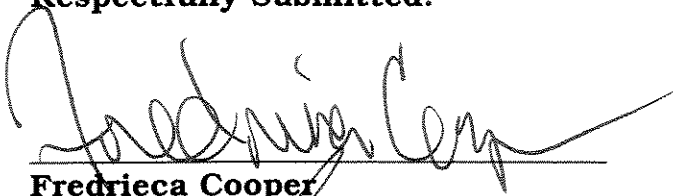
PAPERS HELD IN COMMITTEE (CONT'D)

- 08-O-0849 (25) An Ordinance by Councilman C. T. Martin to amend Section 162-260 (a), (Entitled "Fees Charged by Vehicle Immobilization Service") of the Code of Ordinances of the City of Atlanta, Georgia, so as to increase the allowable fee charged by vehicle immobilization Services, to the owner of any immobilized vehicle or personal property, from \$50.00 per day to \$75.00 per day; to waive conflicting ordinances; and for other purposes. **(Held 4/29/08 for a public hearing.)**

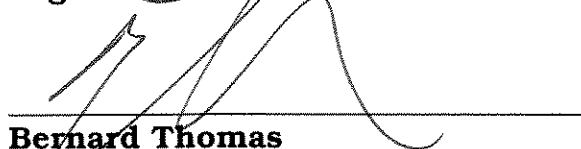
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There being no further business to come before the Committee, the meeting was adjourned at 6:08 p.m.

Respectfully Submitted:



**Fredrieca Cooper
Legislative Assistant**



**Bernard Thomas
Research and Policy Analyst**



**The Honorable Cleta Winslow, Chair
Public Safety and Legal Administration Committee**